

PATENT COOPERATION TREATY

PCT Rec'd PCT/PTO 08 JAN 2004

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)RECEIVED
24 FEB 2004


Applicant's or agent's file reference 01T/5034	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/TR 02/00010	International filing date (day/month/year) 11.03.2002	Priority date (day/month/year) 11.03.2002
International Patent Classification (IPC) or both national classification and IPC A61B5/103		
Applicant GURSES, Çetin		



1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:

- | | | | |
|------|-------------------------------------|--|---|
| I | <input checked="" type="checkbox"/> | Basis of the opinion | EPO - DG 1
19.03.2004 |
| II | <input type="checkbox"/> | Priority | |
| III | <input type="checkbox"/> | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |  |
| IV | <input type="checkbox"/> | Lack of unity of invention | |
| V | <input checked="" type="checkbox"/> | Reasoned statement under Rule 66.2(a)(II) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | |
| VI | <input type="checkbox"/> | Certain documents cited | |
| VII | <input type="checkbox"/> | Certain defects in the international application | |
| VIII | <input type="checkbox"/> | Certain observations on the international application | |

Date of submission of the demand 18.06.2003	Date of completion of this report 24.02.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Manschot, J Telephone No. +31 70 340-4451 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/TR 02/00010**

I. Basis of the report

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-13 as originally filed

Claims, Numbers

1-8 received on 06.02.2004 with letter of 06.02.2004

Drawings, Sheets

1/4-4/4 as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
 - ☐ the language of publication of the international application (under Rule 48.3(b)).
 - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority in written form.
 - ☐ furnished subsequently to this Authority in computer readable form.
 - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4. The amendments have resulted in the cancellation of:
- ☐ the description, pages:
 - ☐ the claims, Nos.:
 - ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/TR 02/00010**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-8
	No: Claims	
Inventive step (IS)	Yes: Claims	1-8
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/TR02/00010

The present invention relates to a device for treatment and diagnosis of pain-spasm-pain cycles by mechanical stimulation on the Golgi-Tendon receptors. From document D1 (US-A-5533514) is known: a device for algometric measurements, comprising:

a tensiometric instrument (6) capable of measuring and transmitting pressure values (column 4, lines 20-52) and having a stimulator tip (18); indication means (7) suitable for enabling the patient to inform the device of actual pain pressure threshold (column 4, lines 26-33); and the device comprises human body maps (column 3, lines 25-37).

Although this prior art device may be used for applying pressure to a patient's body, D1 is silent about such a use.

The present invention differs essentially from D1 in that it comprises a vibrator tip for applying vibration to the muscles. This has the effect of masking (reducing) the pain felt by the patient during treatment. This is neither known nor rendered obvious in the prior art, the more so since D1 specifically relates to algometry. Consequently, the subject-matter of claim 1 and of the claims dependent thereon meets the requirements of Article 33 (2)-(4) PCT.

INTERNATIONAL SEARCH REPORT

Int. No. Application No.

PCT/TR 02/00010

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61B5/103

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61B A61N A61H

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 533 514 A (LAVIGNE GILLES ET AL) 9 July 1996 (1996-07-09) column 3, line 27 - column 4, line 54; figures	1-6,9
A	US 6 214 027 B1 (BROSSARD ANDR EACUTE) 10 April 2001 (2001-04-10) column 2, line 64 - column 3, line 48; figures column 4, line 21 - line 31; claims; figures	1-6,8
A	US 4 641 661 A (KALARICKAL MATHEW S) 10 February 1987 (1987-02-10) the whole document	1

☐ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

Z document member of the same patent family

Date of the actual completion of the international search

17 October 2002

Date of mailing of the international search report

23/10/2002

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Manschot, J

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Publication No

PCT/TR 02/00010

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5533514	A	09-07-1996	NONE	
US 6214027	B1	10-04-2001	AU 5957200 A WO 0101917 A1 EP 1223908 A1	22-01-2001 11-01-2001 24-07-2002
US 4641661	A	10-02-1987	NONE	

